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IMPERIAL SAND DUNES RECREATION AREA

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DRAFT ENVIRONMENTAL IMPACT STATEMENT/RECREATION AREA

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MANAGEMENT PLAN

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BUREAU OF LAND MANAGEMENT

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PUBLIC HEARING

14

APRIL 18, 2002

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BRAWLEY CITY COUNCIL MEETING ROOM

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225 A STREET

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BRAWLEY, CALIFORNIA

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April 18, 2002

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7:00 p.m.

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MR. LEWIS MICHAELSON: Good evening,
everyone. My name is Lewis Michaelson. I work for a
firm called Katz and Associates. This is the only mike
we have got here and the only speaker. So I can only be
so loud.

9

10

My name is Lewis Michaelson. I am the
facilitator for tonight's meeting. I am not a BLM
employee. I was hired specifically for the purpose of
moderating the six public hearings that are being held
on the Draft EIS that I know you are all here to talk
about and learn about tonight.

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16

I don't have any substantive role in the
EIS and I don't have any decision making regarding the
EIS. I am simply here to make sure that we have an
efficient and effective and orderly meeting and that
everyone gets a fair and equal opportunity to express
their comments tonight.

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22

As far as housekeeping goes, I would
please request because we are in this tight quarters, if
everybody has a pager or cell phone, if you wouldn't
mind turning it off now. That way we won't have any
distractions or any interruptions.

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Please feel free to come up and sit up
here.

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VOICE: I can't hear you back here.

4

MR. LEWIS MICHAELSON: Alright. I'll try and

5 go even louder. Alright.

6 VOICE: Thank you.

7 MR. LEWIS MICHAELSON: If that's not too bad
8 for these people; I'm probably blowing them out.

9 Alright. The purpose of tonight's
10 meeting, as I said, is to both give a presentation on
11 the documents, but particularly on the Draft EIS and to
12 get your comments. This is a period during which under
13 the National Environmental Policy Act the Bureau of Land
14 Management seeks comments on the Draft EIS, which has
15 been out for review now for some weeks. About 250
16 copies were sent out. Hopefully some of you have
17 already had a chance to review that.

18 Written comments can also be submitted.
19 So if you are the type of person who's uncomfortable
20 with public speaking, don't feel bad about that. There
21 are forms that are out there that you can use. You can
22 hand them in tonight if want, or you can mail them in.
23 There is still a couple more months to think about this
24 and mull it over and figure out what comments you would
25 like to make. And those written comments are given the

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1 same consideration, the same weight as any or all
2 comments offered here tonight. So don't feel like
3 that's a second-class way to offer your comments. It's
4 actually a very good way to offer your comments.

5 But what tonight is about is your
6 opportunity for you to express yourself orally.

7 It's maxed out. I am doing the best I
8 can.

9 It's your opportunity to meet face to
10 face with the people that are involved in the
11 preparation of the Draft EIS and to let them hear
12 firsthand what your comments and your concerns and your
13 suggestions and your preferences are. So that's what we
14 are about here tonight.

15 As a part of that, you may have noticed
16 this woman seated here. She is a court reporter and she
17 is going to take down everything that's said by
18 everybody tonight. That way the Bureau of Land
19 Management can get a very good record of what you had to
20 say and then that's how that becomes in essence another
21 written comment at that point in time.

22 There were a series of handouts that you
23 should have gotten when you came in. One is the agenda;
24 I will go over that very briefly. We are going to do
25 introductions of the panel for you. Then there is going

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1 to be a welcome and then a series of fairly quick-paced
2 presentations that shouldn't take more than 30 minutes.
3 They haven't done any of the previous meetings.

4 Then quite quickly we will be to the most
5 important part of this meeting, which is your
6 opportunity to speak to the Bureau of Land Management
7 and offer them your oral comments.

8 There is a procedure for signing up to
9 speak that I want to make sure you are aware of. If you

10 would like to speak tonight, this is the green card that
11 you will need to fill out and attached to it are some
12 ground rules about speaking. Most important you need to
13 know is that there has been a change since the El Centro
14 meeting. So if some of you were at that one, there was
15 a two-minute time limit and there were not any chances
16 to come back again.

17 That changed after the Long Beach
18 meeting. The first speaking time is still two minutes
19 and, but then after everyone has had a chance to speak
20 for the first time, if you still have more that you
21 would like to say, you can sign up again and then there
22 is an additional five minutes available to you to
23 speak. So I want you to be aware of that change if you
24 would like to take advantage of that.

25 Let's see if there is anything else we

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1 need to cover. I think that's the basic ground rules.

2 So again this is an opportunity for you
3 to tell the BLM firsthand, for them to hear firsthand
4 what your thoughts and concerns and suggestions are and
5 if we can make sure that we only have one person
6 speaking at a time, we can make sure that the court
7 reporter gets a good record of what was said tonight.

8 With that, I would like to go ahead and
9 ask the panel to introduce themselves. And apparently
10 even with this mike, they can barely hear me in the
11 back. You guys are going to have to yell.

12 MS. LYNETTE ELSE: I am Lynette Elser. I am
13 the Environmental Coordinator for BLM.

14 MR. NEIL HAMADA: Neil Hamada. I am the Dunes
15 Manager.

16 MR. GREG THOMSEN: Well, I am Greg Thomsen,
17 the Field Manager for BLM.

18 MS. ROXIE TROST: I am Roxie Trost. I am the
19 Resource Chief for BLM.

20 MR. GEOFF SPALDING: My name is Geoff
21 Spalding. I am Project Manager for CH2M Hill, the
22 outfit that was hired by the BLM to assist in the
23 preparation of the EIS.

24 MR. BOB HAGGERTY: I'm Bob Haggerty. I'm a
25 ranger out here in El Centro.

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1 MR. LEWIS MICHAELSON: Greg, do you want to do
2 it there?

3 MR. GREG THOMSEN: Let me ask you: Can you
4 hear me okay?

5 VOICES: No. No.

6 MR. LEWIS MICHAELSON: I think you will have
7 to come down here and take advantage of this.

8 MR. GREG THOMSEN: How is this? Better?
9 First, I would like to thank all of you for coming out
10 tonight. This is a pretty impressive showing;
11 particularly I'm sure for some of you locals here, this
12 isn't something you see every night of the week in
13 Brawley other than maybe for the Desert Brawley
14 Unlimited Banquet or something.

15 Appreciate that a lot of you have been
16 working with us, coming out and helping. We are working
17 on two draft documents right now; the Draft
18 Environmental Impact Statement and the Draft Plan for
19 the Imperial Sand Dunes. A lot of you have been working
20 with us over the last couple of years. In fact, a
21 number of you have been attending several of the
22 meetings that we have had already since this is the
23 fourth out of six.

24 What you provided us over the last few
25 years in the scoping process helped quite a bit. A lot

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1 of the ideas are reflected in the documents, the draft
2 documents that we are talking about tonight.

3 Briefly I would like to go over some of
4 the comments that we heard over the last couple of years
5 that we feel that we have tried to address in these
6 draft documents.

7 The first one is that you let us know
8 that you wanted a variety of recreational opportunities
9 out at the sand dunes. You said that you wanted both
10 undeveloped areas as well as developed areas with
11 facilities and different opportunities. You said you
12 wanted a safe area that you could bring your family and
13 enjoy time together. And we realize this is something
14 that's a generational thing, that's for several people
15 that's been going back for quite awhile.

16 We also heard a lot that people wanted us
17 to conserve the important resources, cultural and
18 natural resources, that are found out at the sand dunes,
19 which is certainly a unique sand dune system.

20 And one of the things that we heard a lot
21 and why there is such a big crowd here tonight is how
22 important the sand dunes are both to people that live in
23 the valley here, but to people all over the Southwestern
24 U.S. and beyond.

25 So with that information we developed a

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1 series of alternatives. We tried to get a whole range
2 of alternatives in the Draft Environmental Impact
3 Statement to look at different ways to manage the
4 dunes. For example, in the Mammoth Wash area in the
5 northern part of the dunes we heard different things and
6 we have got alternatives ranging all the way from
7 non-motorized recreational use, to a low-density
8 motorized recreational use for that area.

9 On the other end of the spectrum is the
10 Gecko Area. And most all the alternatives in the Draft
11 Environmental Impact Statement talk about high-density
12 recreational use at the Gecko Area.

13 Some of the things that we heard from you
14 are that you wanted more trash and toilet facilities,
15 more law enforcement and even -- and looking at things
16 such as pay phones, educational opportunities and
17 possibly things like reservation systems.

18 We also developed something called an
19 Alternative Management Area that Roxie is going to be

20 talking about a little bit differently for the middle
21 part of the south dunes.

22 So what we tried -- in that case we tried
23 to set up an area that would protect the sensitive
24 resources, biological plants and animals that live in
25 that area, but also allow for some recreational use of

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1 that area.

2 We did the best we could. It's certainly
3 been a difficult process to try and pull together some
4 options. It would provide for the recreational use as
5 well as provide for protection of the resources. And we
6 feel that the draft document and the preferred
7 alternative does that. We realize that there is some
8 more work to do between now and the final and that's why
9 we are wanting to hear from all of you.

10 We believe that the proposed action in
11 the draft document meets a series of goals. We
12 identified three goals from the Scoping Process over the
13 last couple of years that we tried to meet. And I will
14 go over those three goals.

15 The first one is provide a variety of
16 sustainable off-road vehicle and other recreational
17 activities. The second goal is to maintain or improve
18 conditions of the special status species and other
19 unique natural and cultural resources at the dunes. And
20 the third goal is to create an environment to promote
21 the health and safety of visitors, employees and nearby
22 residents by working with local, state and federal
23 agencies and interest groups.

24 And I am glad to see that Imperial County
25 Sheriff is represented here tonight because they have

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1 certainly become an important partner; particularly this
2 last season.

3 So once again, we look forward to hearing
4 from you either verbally at the public meetings and/or
5 in writing. That's an important part of the process and
6 thanks again. Hope you enjoy the meeting and with that,
7 I will pass on next to Lynette, who's going to talk
8 about the public involvement process.

9 (The court reporter was directed to go
10 off the record during further presentations.)

11 MR. LEWIS MICHAELSON: Well, by now you have
12 probably noticed we only have one microphone and speaker
13 here and given the size of the room, how full it is, if
14 you are not speaking on this, I have a really good idea
15 that the people in the back won't hear what you have to
16 say.

17 So I'm a little torn because I need to
18 make sure that you can hear whatever directions I am
19 giving as the moderator. On the other hand, if I don't
20 give the mike over to you when you are making your
21 comments, it's unlikely that half the people in here
22 won't hear what you have to say and I know that that's
23 important to a lot of you.

24 So what I would like to try and do is go

25 ahead and set this up so that speakers who speak can

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1 come up and use this. I want you to address the panel,
2 but we can point this backwards so that the people in
3 here can hear what you have to say. What that means
4 though is that when I am giving directions about the
5 times and that, you really have to pay attention to me
6 because I am not going to be very loud. I am just going
7 to use my natural voice. So if we can agree to that, I
8 think that's the way I would like to try this.

9 Very quickly I would like to go over the
10 ground rules for speakers. Everyone who filled out one
11 of these green cards, attached to it were the ground
12 rules. They are the same ground rules that are written
13 up here and each one of them has a purpose. I will go
14 over this very quickly.

15 Again, this is an opportunity for you to
16 offer your comments firsthand, face to face to the BLM
17 panel who's up here. So the purpose for having this
18 meeting is so you can talk to them. So I would like to
19 make sure you address them when you are giving your
20 comments.

21 The second, as mentioned, the focus of
22 this is the EIS, not the RAMP. You can make comments on
23 either, but one will be handled much more formally than
24 the other. And because of this type of format we have
25 tonight, we are not going to have a question and

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1 answer. If you go ahead and use up your time that's
2 allotted and say whatever you have to say and then we
3 will move on to the next person.

4 As I mentioned before I believe, but I
5 will make it clear again, the first time that you speak
6 -- assuming you will speak more than once -- is two
7 minutes. And to make it real easy for you to wrap up
8 your comments comfortably, when you are a minute and a
9 half in, I will hold this up. So if you will
10 occasionally look my way, that will make sure you see
11 that sign and I won't have to cut you off at the
12 two-minute mark when you are in mid sentence.

13 Again, after everyone has had a first
14 chance to speak, you can fill out another green card if
15 you would like to and the second time you speak, you
16 will have up to five minutes. But that way everybody
17 who came early on the meeting gets a chance to at least
18 say something that they had on their mind.

19 We understand that this is an issue of
20 great importance to everyone in here. If it wasn't, you
21 wouldn't be here. We expect people to feel passionately
22 about these things and we also expect strong opinions.
23 However, we also know that there are differences of
24 opinion and you may not agree with everything you hear
25 and all that we request is that you respect that there

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1 are many different legitimate points of view and to
2 refrain from making any noises or expressions of
3 disapproval or anything like that while somebody is

4 talking. That's their First Amendment right; that's
5 their two minutes. We need everyone to let everyone
6 speak and have their say regardless of whether you agree
7 with what they have to say or not.

8 Particularly now that we have the
9 five-minute second helping, transferring your time to
10 somebody else is not allowed and it's not really even
11 going to be necessary.

12 And then finally we encourage you to
13 address your comments towards the issues and not towards
14 individuals or groups that might be offensive.

15 But I also want to thank Lynette for
16 giving a very good idea about what the types of comments
17 are that they consider beneficial; the types of comments
18 that will have the most influence and impact on the
19 analysis and on the Draft EIS. And if you keep that in
20 mind, I am sure that the BLM will learn many important
21 things tonight; just as they have at the first three
22 meetings.

23 So if you will excuse me for just a
24 minute, I am going to move this. I'm going to turn off
25 the mike so I don't hurt your ears.

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1 What I'm going to do is I'll read a few
2 cards ahead so that you have an idea where you are
3 coming up. That way you can be prepared as I read ahead
4 so I don't catch you off guard and you are sitting way
5 in the back and it takes you a couple minutes to get up
6 to the front.

7 The first speakers that are going to be
8 up are Donald Lambe -- and I apologize if I mispronounce
9 anyone's name. Jerry Santillaw, Mike Gilmore, Helena
10 Quintana and Preston Arrowweed.

11 Mr. Lambe.

12 MR. DONALD LAMBE: Hello. My name is Don
13 Lambe. I was born and raised in Brawley and I have been
14 going to the sand dunes for 57 years. I started when I
15 was in high school and continued later as a husband and
16 a father and still later as a grandfather.

17 I have been going to -- I have seen a lot
18 of families coming up for Thanksgiving. I have seen a
19 lot of changes from the 100,000 plus, to just when maybe
20 our family were the only people out there.

21 Over the years I have seen a lot of
22 changes; some good and some not so good. One of the
23 goods; toilet facilities. Another good was building
24 parking areas off the crowded and dangerous areas along
25 78. You've provided medical assistance to those in

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1 need. You've tried to control the rowdy bunch and many
2 other good things. For that, we thank you.

3 Now for some of the not so good. Instead
4 of extending the road from 78 to Interstate 8 as you
5 once said you would do, you are now trying to crowd us
6 into an even smaller area.

7 When we first started going to the sand
8 dunes 30 -- or when we first started going to these

9 meetings 30 or so years ago, you told us that if we
10 didn't fight your closing north 78, we could have south
11 of 78. Later we were told that the green sticker fee
12 would help build a road from 78 to 8.

13 You've done a lot of good, but I feel you
14 can do a lot more. I feel you've lost your goal; and
15 that, we were told, was to expand the facilities and the
16 areas so that we could still use it and still the lands
17 would be protected. Now all I hear is: Closure,
18 closure.

19 This is still a family-oriented
20 recreation where all the family can enjoy being
21 together. There's not too many recreations that can say
22 that today. Don't let a few bad apples make us move
23 into a smaller and smaller area.

24 I'm going to take the five minutes
25 later. Where is the green card?

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1 MR. LEWIS MICHAELSON: There is more out
2 back.

3 Mr. Santillaw.

4 MR. JERRY SANTILLAW: Buenas tardes y
5 bienvenidos a la Ciudad de Brawley. I'm Jerry
6 Santillaw, City Manager. We talked about four
7 alternatives; the no action, the recreational
8 natural/cultural resource protection, which is the
9 Preferred Alternative; the natural/cultural resource
10 protection, and the motorized recreational
11 opportunities, which is favored by the OHV users.

12 There are numerous groups that have
13 drafted these four alternatives and that although each
14 group has issues with each of those individual
15 alternatives, the overall findings of these alternatives
16 are all based on sound and reasoning and real-life
17 situations.

18 It's clearly understood that the Imperial
19 Sand Dunes is a unique and valuable asset for Imperial
20 County and the State of California. Both in its natural
21 resources, its open space element and also in the fiscal
22 impact analysis.

23 That is, as a visitor usage increases,
24 the value to each user diminishes in the form of
25 impacted campsites, right-side facilities availability.

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1 That the visitor usage increases, the potential for
2 destruction of natural resources is also increased.
3 That unless these issues are addressed as a valuable
4 asset, the Imperial Sand Dunes will be diminished with
5 the possibility of permanent damage.

6 The fiscal impact of increased users
7 versus the improvements -- that's the site improvements
8 such as facilities, road grooming, landscape, increased
9 police and officer presence, additional -- more
10 officers, increase regional employment -- represents a
11 fiscal benefit to both Imperial County and Yuma County
12 in all of the alternatives.

13 With managed growth in users in Imperial

14 Sand Dunes, the implementation of management areas
15 within the Imperial Sand Dunes there appears to be
16 within each four alternatives a win-win situation
17 between the environment, the users and our regional
18 economy.

19 Thank you.

20 MR. LEWIS MICHAELSON: Thank you. Mr.
21 Gilmore.

22 MR. MIKE GILMORE: I believe I was next. I
23 think I was third up. My name is Mike Gilmore and I'm a
24 vendor at Glamis. I've been a vendor for about 17 years
25 out at Glamis. I believe I have been out at Glamis

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1 probably as long as most of the BLM personnel that are
2 here and I feel like I have a pretty good pulse on
3 what's going on out there.

4 The last 17 years we have seen a lot of
5 changes at Glamis. One of the biggest ones is the
6 increase in the usage of the dunes; from approximately
7 100,000 up to 1.4 million. And this is by the BLM's own
8 numbers.

9 Along with this I have adapted. My
10 business has grown quite significantly since I have been
11 out there. I have carried more product, I stay out
12 there longer, etcetera, etcetera.

13 What I see going on out there --
14 especially with trying to limit the dune users now --
15 what I see is that I believe we already have the tools
16 in place to take care of the problems we have out there
17 now. You know, we keep talking about the lawlessness
18 and I think any time you take, you know, 150,000 versus
19 1.4 million, if you look at the incidents per 1,000, I
20 believe it's about the same. It's somewhere around .08
21 or 1.2 per 1,000. So it's not that lawlessness has
22 increased, it's just that there is more people.

23 So I believe we have the tools now. The
24 BLM has the tools to enforce these regulations. We have
25 the littering rule that I don't believe that is being

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1 enforced real well. We have the glass bottle rule; that
2 rule has been out there 20 years and I don't understand
3 why we don't -- why we don't take care of that problem a
4 little more.

5 So my whole take on this is I think that
6 the BLM should try the increased police action they have
7 out there now for another couple of years. Try it.
8 This is bringing it down. I have already seen it this
9 year. It's brought it down quite a bit.

10 So I would just like to see us use the
11 rules that we have in place now to try to take care of
12 the problem instead of stacking more rules on top of
13 rules that we are not enforcing now.

14 That's all I have got to say. Thank you.

15 MR. LEWIS MICHAELSON: Thank you. Ms.
16 Quintana.

17 MS. HELENA QUINTANA: My name is Helena
18 Quintana. I am a member of the Green Party of Imperial

19 County. I am speaking as a member of the County
20 Council, but also as a resident of the County of
21 Imperial. And I have briefly three things that I would
22 like to address.

23 One, is that I think the document is weak
24 on protection of the wilderness, the animals and the
25 plants in the area and I think it needs to be stronger

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1 in those areas.

2 Second, I think that 80,000 acres is
3 enough acreage, enough space for people to have
4 recreation out there. And I am in favor of closing some
5 areas to protect the environment. I think that the
6 number of people using the dunes should be limited. I
7 think over 100,000 -- whatever -- people are there is
8 crazy. I think there needs to be some kind of way that
9 the BLM can limit.

10 And my third area is the law
11 enforcement. I think that as a taxpayer I shouldn't
12 have to pay for safety or enforcement out there. I
13 think the people who use it should pay for it. If they
14 have to pay a thousand dollars to use the dunes, then
15 they should pay for it; not me.

16 Thank you.

17 MR. LEWIS MICHAELSON: Again just to read
18 ahead so you know where you are coming up. Mr.
19 Arrowweed is next followed by Nicole Gilles, Angelita
20 Riven, G. Blake and Tim Kelley.

21 MR. PRESTON J. ARROWEED: I am Preston J.
22 Arrowweed. I'm of the Quechan tribe. I am also part
23 Kumeyaay from this area. My grandmother came from New
24 River. They were once the stewards of this land and now
25 you are the stewards of the land.

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1 I have heard of everyone's fun. I have
2 heard of the money you can make. I have heard of all
3 the things that you can have at your disposal at the
4 expense of losing other things.

5 Now, those little creatures out there
6 cannot stand here and defend themselves nor can the sand
7 dunes speak to you and complain of what you've done to
8 it. So I speak for them. If you must go and destroy,
9 then do so. But you better have a conscience when you
10 do that; a right and wrong. That those who are
11 defenseless, helpless are going to be destroyed. And
12 there will be a consequence for that if you do not
13 think.

14 Today in the world we complain about the
15 injustice, we complain about the destruction done to
16 mankind, to themselves and to the world. Well, them
17 little people there or the little things cannot come
18 here and say that so that you can hear. They speak to
19 me because of stories that have been told to me already
20 about them.

21 The sand dunes is in the story of a song
22 that I sing, the cycle that tells about entering that
23 land. You have not spoken about the lizards. The

24 lizard is very important in our beginning of the world
25 and so you must think of them first and you must think

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1 that they too have a right. At the expense of their
2 lives you want to have fun, but think about them. Find
3 a way for them. Give them a chance, give that lizard a
4 chance. Give every living thing a chance. And the
5 red-tail hawk who flies over is very important to us and
6 when they are all gone, your fun will be gone also.

7 So think about that. Thank you.

8 MR. LEWIS MICHAELSON: Thank you, Mr.
9 Arrowweed. Nicole Gilles.

10 MS. NICOLE GILLES: Hi. My name is Nicole
11 Gilles. I'm the Executive Director of the Brawley
12 Chamber of Commerce and I wanted to talk specifically
13 about the environmental consequences that are listed in
14 Chapter 429 of the DEIS and Section 4.4 regarding
15 socioeconomics.

16 The first paragraph states that: No
17 adverse socioeconomic impacts are expected to occur as a
18 result of implementing any of the alternatives.

19 I disagree with this statement. Based on
20 the Preferred Alternative, Alternative Two, the
21 Recreation Opportunity Spectrum will limit the amount of
22 people who recreate in the Imperial Sand Dunes.

23 After conducting some initial research, I
24 found that this will have a tremendous negative impact
25 on local businesses, restaurants and hotels. This will

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1 ultimately lead to local businesses having to cut back
2 on employee hours and ultimately jobs.

3 This is tremendous based on the fact that
4 we have a very high unemployment rate here in Imperial
5 County to begin with.

6 We will be taking the DEIS to the Chamber
7 Board for further review and will file a written comment
8 expressing our concerns prior to the June 28th
9 deadline. So we will be doing some more research and
10 take it to a committee and try to go through it with a
11 fine tooth comb and then file another report in
12 writing.

13 Thank you.

14 MR. LEWIS MICHAELSON: Thank you. Angelita
15 Riven.

16 MS. ANGELITA RIVEN: My name is Angelita
17 Riven. I'm the Assistant Manager for Vons in Brawley.
18 And we believe that it will have an impact on our
19 sales. We figure eight months out of the year we have
20 an increase in what we call our "desert season impact".
21 And this equates to about 3.5 million in sales --
22 taxable sales to our company and also would translate
23 into about 25,000 man hours for our employees just here
24 in Brawley.

25 That's all.

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1 MR. LEWIS MICHAELSON: Thank you. G. Blake.

2 MR. GREG BLAKE: My name is Greg Blake and I

3 am a resident of Brawley and long-term sand dune user.
4 Wish to say thanks to whichever bureaucrat chose this
5 room. You have demonstrated to us here a lack of an
6 understanding of this topic.

7 To the gentleman in his address that
8 spoke something to the fact of fences around the milk
9 vetch; again you need to go visit the sand dunes and
10 recognize how impractical, impossible and unworkable
11 that would be.

12 I also wish to look backwards at our
13 forefathers who planned State Highway 78, the All
14 American Canal and the Southern Pacific Railroad. Had
15 we allowed these types of issues to become involved
16 then, would those projects have ever been completed?
17 Would the Metropolitan Water District, Los Angeles, the
18 products that are carried on the Southern Pacific
19 Railroad, and the commerce that takes place on State
20 Highway 78 allow any of the activities that are
21 currently happening in the Imperial Valley?

22 I understand an environmental impact. We
23 are standing in an environment right now. As you speak,
24 you discharge carbon dioxide. You are influencing the
25 condition of this room.

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1 As I hear and attend these meetings and
2 hear the difference between a naturalist or an
3 environmentalist, myself I am offended. I am also a
4 user of those sand dunes and a naturalist and an
5 environmentalist. And when you say to me I am at odds
6 with other people, I disagree.

7 The BLM has a mandate and when this
8 manager makes this decision -- and the lady has already
9 clearly explained to us. In closure, the 250 copies of
10 the EIS, I want to say thanks for that one too.

11 MR. LEWIS MICHAELSON: Mr. Kelley.

12 MR. TIM KELLEY: Tim Kelley, Brawley County
13 Development Commission. I just want to equate the
14 closure of the sand dunes as a situation that's going on
15 to something that's similar that could happen in San
16 Francisco and San Diego and the impact that it will have
17 on their economies; such as closing down the Bay of San
18 Francisco because of a perceived problem that may occur
19 and also the closing of beaches in San Diego.

20 The most important recreation area in
21 Imperial County and has probably the most positive
22 influence on our economy is the sand dunes and so we
23 have to be very, very careful in how we treat that and
24 how it affects those that not only use it, but the
25 economies of the cities around it.

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1 MR. LEWIS MICHAELSON: Thank you. Let me read
2 ahead again. The next speakers are: Chuck Mobley, Amy
3 Kirkman, Julie Krogh, Jerry Seaver, John Makin.

4 MR. CHUCK MOBLEY: I'm Chuck Mobley. I'm a
5 Brawley resident and a sand dune enthusiast and I'm also
6 an environmentalist. Greg had said at the start of this
7 that one of their goals was we wanted various

8 recreational opportunities. Looking over the EIS, it's
9 just the opposite, sir.

10 We did -- obviously you have a curfew in
11 there and there's a study done by the Justice Policy
12 Institutes, a non-profit organization. They concluded
13 that curfews are just the opposite and they do not curb
14 unruliness or rowdiness or any of those things. I am
15 going to submit this with my comments. And this would
16 have been nice if you could have included something like
17 this in the EIS because there is nothing in there that
18 tells us why we should have curfews.

19 Also, Neil, I don't want to pick on you,
20 but earlier you said "just about" -- "just about this
21 many people showed up at Easter". That's exactly the
22 problem with the EIS; the studies that you did on the
23 amount of people that come there are "just about". This
24 is way too important for "just about" and we want to
25 know how you did those -- how you count your people.

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1 It would have been nice if that was in
2 there so we could actually figure out ourselves how to
3 count the people.

4 Talking about capacity limits. We did a
5 study of our own last weekend. We found out that our
6 camping spaces -- and this is being very nice to us --
7 is 1400 square feet. Also found out that's the national
8 average. That would have been nice if that had been put
9 in there too. The difference is that yours is 12 per
10 acre, vehicles, and ours is 31. That's a big difference
11 in how many people come to the dunes or should be.

12 Of course, I will put that in my comment
13 letter with figures.

14 MR. LEWIS MICHAELSON: Thank you, Mr. Mobley.
15 You may want to turn in a second card if you have more
16 to say. Thanks.

17 Amy Kirkman.

18 MS. AMY KIRKMAN: Hi. My name is Amy
19 Kirkman. I work for the California Department of
20 Corrections. I have been a resident of the Imperial
21 County for seven years now and thank God for the
22 Imperial Sand Dunes or I wouldn't know what I would do
23 with most of my year here. As most of us know that live
24 here, there really isn't a whole heck of a lot going on
25 besides the sand dunes.

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1 I understand environmental needs, but to
2 be honest with you, I have to really question the EIS
3 and the closures and the changes. I don't honestly
4 believe that they are because of environmental issues
5 wholeheartedly. I believe a lot of them are because of
6 the actions that are taking place in Glamis as far as
7 the disrespect for the land, the littering, the arrests,
8 the deaths, the injuries, and all of those type of
9 activities that are going on.

10 I can speak for my group of friends. We
11 are very responsible when we go to Glamis. We have fun,
12 we do drink alcohol, but we do it in a manner in which

13 keeps ourselves safe, therefore, keeping everybody else
14 safe. And, unfortunately, for us too we stay away from
15 the idiots just like everybody else wants to be away
16 from them. And they are not all from LA; we have local
17 ones that go out there and cause a lot of problems too.

18 But I do really question the basis for
19 these changes as being more related to those issues than
20 actual environmental issues, whether it be a lizard or a
21 turtle or a plant that nothing on this earth can survive
22 off of, but yet we want to close down part of our dunes
23 for those issues.

24 I have seen a huge change in the last
25 several months, especially over the last holiday

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1 season. The BLM and the other law enforcement that was
2 out there was just large and in charge and I think that
3 if they would prioritize what they are there for, they
4 might actually make something work for them.

5 Thank you.

6 MR. LEWIS MICHAELSON: Mark Brown.

7 MR. MARK BROWN: Hi. My name is Mark Brown.
8 I'm a native of Brawley. I have been going to Glamis
9 since I was in diapers. Okay? And I care very much for
10 my sand dunes too; that's why I'm here.

11 I guess the first thing I want to do is
12 pose a rhetorical question to the panel. How many of
13 you are actual users of the dunes? For those who
14 aren't, what makes you so qualified to be here on this
15 panel aside from being government bureaucrats and
16 functionaries?

17 First question I have -- or the first
18 problem I see -- up to half a billion dollars infused
19 into this economy. There is absolutely nothing the
20 federal government can do to mitigate that. Nothing.
21 At least competently.

22 Another question: What do you propose
23 for locals? We can go out to the desert any time.
24 Sometimes on a Saturday morning I want to go out there
25 maybe at three o'clock in the morning. Am I going to be

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1 allowed to do that as a local? Do I have to get in line
2 with people from LA and San Diego and elsewhere?

3 Another consideration.

4 Lastly, ask a New Jersey State Trooper if
5 they practice racial profiling, they'll say: Absolutely
6 not. You ask an environmental extremist if we are
7 destroying those sand dunes and they'll tell you we are.
8 They will cast it in the most favorable light.

9 The desert has been there a long time;
10 those dunes have been there a long time. It's a harsh
11 environment. Nobody is hurting those dunes.

12 Be sure the data is right and make sure
13 you are not looking at bunk science.

14 Thank you.

15 MR. LEWIS MICHAELSON: Julie Krogh.

16 MS. JUDY KROGH: My name is Julie Krogh,
17 K-R-O-G-H. I'm single, own my own home and I'm a dune

18 enthusiast. I just recently made a large purchase of an
19 ATV so I can experience the dunes with my family. I
20 don't have the income that many do that experience the
21 dunes, but I enjoy them just as much.

22 My investment will take a few years to
23 pay for and I want you here today to make sure that I
24 can use it when I want to.

25 In this EIS you refer to us as users or
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1 visitors. We are families, generations of us, friends,
2 life-long friends. We are much more than a social
3 security number, a user or a visitor. This is the one
4 biggest thing outside of the city that I do with my
5 brother, Greg, and my sister, Jan.

6 The potential for capacity limits in the
7 preferred alternative concerns me greatly. Holidays are
8 when we all get extended weekends with the kids also out
9 of school. That, of course, is time to experience the
10 dunes together. If the preferred alternative for any
11 reason hits certain thresholds, this could mean that one
12 or more of my family members, including myself, be
13 excluded from the dune experience.

14 If my brother or sister were prevented
15 from recreating in the dunes because of some 15 or 20
16 percent trigger, there would be no reason for me to go
17 there either.

18 Please exempt any and all holidays from
19 any capacity limits in the preferred alternative now and
20 in the future should we ever meet these unfortunate
21 targets.

22 Thank you.

23 MR. LEWIS MICHAELSON: Jerry Seaver.

24 MR. JERRY SEAVER: My name is Jerry Seaver. I
25 want to thank you for having this meeting and I am

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1 President of the American Sand Association. The
2 statement I want to make -- we had a meeting in Phoenix
3 last Monday and there was a lot of businesses that got
4 up and spoke to you about the economic impacts that the
5 dunes have for them; even though they are in Phoenix,
6 Arizona.

7 There were several comments made at the
8 Phoenix meeting about local business owners and their
9 omission of the economic impact on the sand sport
10 related business outside of Imperial and Yuma County.

11 Section 3.4, Socioeconomics, on page 3.48
12 of the DEIS must be revised to include results of
13 comprehensive professional analysis for the sand sport
14 related business impact. Results of a survey conducted
15 under the direction of an appropriate academy or private
16 research firm must be considered in a final selection of
17 a preferred alternative.

18 The other thing I wanted to say is I am
19 hearing the room make a lot of comments like that the
20 ball is in the BLM's court right now. They are asking
21 you to make the right decisions on this plan. In
22 actuality the ball really is in our court right now.

23 You are asking us to give you comments on the Draft of
24 the EIS and the Draft of the RAMP.

25 Attending this meeting is very

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1 encouraging that everybody has shown up, but I encourage
2 everybody this should be only the start of the process
3 in influencing the BLM and how they should approach this
4 plan. You need to take and read the plan. You need to
5 continue what you have done already as far as some of
6 the input you have got in the plan and give very good
7 comments to the BLM on the things that you disagree on
8 and you have some data to back it up. This is what they
9 are looking for. The ball is in our court right now.

10 Thank you.

11 MR. LEWIS MICHAELSON: The last three cards
12 that I have are: John Makin, JoAnne Hardesty and Donald
13 Lambe. And if anybody has been inspired to speak,
14 please, there are green cards. There should be somebody
15 holding them up. Anybody here from BLM with cards? If
16 not, just go right outside the door. Please feel free;
17 we want to take everyone who wants to speak tonight.
18 Thanks.

19 MR. JOHN MAKIN: Good evening. My name is
20 John Makin. I'm am a resident of the City of
21 Westmoreland, a Westmoreland City Councilman and Mayor
22 Pro Tem. I just came about 45 minutes ago from a
23 meeting of the League of Cities. Once a quarter we have
24 a meeting of all the elected officials in the county and
25 at that meeting we passed a resolution and I would like

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1 to read that to you.

2 A Resolution of the League of California
3 Cities, Imperial County Division, State of California in
4 response to the Draft Environmental Impact Statement for
5 a Proposed Recreation Area Management Plan, an amendment
6 to the California Desert Conservation Area Plan,
7 Imperial Sand Dunes Recreation Area.

8 Be it resolved by the League of
9 California Cities, Imperial County Division, State of
10 California that they find as follows: Whereas Imperial
11 County has traditionally been among the highest
12 unemployment rates for the counties in the State of
13 California, and whereas Imperial County has also been
14 among the lowest per capita income counties of the State
15 of California, and whereas any needless or unmitigated
16 loss of jobs is not satisfactory and that the other
17 three alternatives would cause a loss of more than 1250
18 jobs and more than 24 million dollars in lost income,
19 and whereas the limitation or reduction in the number of
20 visitors to one of the finest recreation areas in all of
21 these United States is counterproductive to our economy
22 in general; now, therefore, be it resolved that the
23 Imperial Division of the California League of Cities
24 most strongly supports the adoption of Alternative One,
25 no action, in the Draft Environmental Impact Statement.

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1 MR. LEWIS MICHAELSON: Thank you.

2 MR. MAKIN: Passed, approved, adopted at the
3 Mayors' Meeting, League of California Cities. 18th day
4 of April, 2002.

5 MR. LEWIS MICHAELSON: Thank you, Mr. Makin.
6 JoAnne Hardesty.

7 MS. JOANNE HARDESTY: Good evening. My name
8 is JoAnne Hardesty. I've been a resident of the
9 Imperial County for 12 years. I live in Salton City. I
10 have a Masters Degree in Plant Biology. I intend to
11 present more in-depth written comments after thoroughly
12 reviewing this document.

13 However, this evening after looking over
14 it, I support Alternative Three as it provides a
15 relative decrease in negative impacts for special
16 species status for the wildlife and plants; as well as
17 increased protection to the dune habitat.

18 Specifically I am concerned with
19 protection of the adaptive and buffer zone management
20 areas.

21 I support increased protection of the
22 dunes for the woodland habitat, the flat-tailed horn
23 lizard habitat and the desert tortoise habitat. I do
24 not feel that mitigation efforts for desert tortoises
25 will be successful and I say this based on the work that

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1 I have done with this species. I think that habitat
2 protection and maintenance of undisturbed natural
3 corridors for species migration is vital for species
4 survival.

5 I am opposed to Alternative Four. I feel
6 that we have already exceeded the human carrying
7 capacity at the dunes. The negative impacts of
8 increased motorized vehicles will be detrimental to all
9 the species in the fragile dune environment.

10 And I don't think that we should all be
11 enemies in this. I think that we need to work
12 together. I love the desert and the desert environment
13 as much as everybody here and I don't think that we all
14 have to be considering ourselves as enemies.

15 Thank you.

16 MR. LEWIS MICHAELSON: Excuse me just a
17 minute. I didn't realize that a couple of cards that
18 have been handed to me were for people who were going to
19 take their second opportunity. So I wanted to make sure
20 that everyone who has handed in their card gets their
21 first and so the next speaker is Mark Harms.

22 MR. MARK HARMS: My name is Mark Harms. I am
23 currently sitting on the American Sand Association Board
24 of Directors. I also own and operate Sand Tires
25 Unlimited. This business -- this company has been doing

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1 business since 1968 and a majority of my sales are sold
2 outside Imperial and Yuma County. Having said that, the
3 majority of my product, however, is used in Imperial
4 County.

5 With respect to the DEIS on Alternative
6 Two, I am opposing any punitive triggers that would

7 create capacities on holidays. DEIS Alternative Two
8 would implement much of what Alternative Three would
9 implement with respect to capacity limits. Alternative
10 Two is a bad attempt to disguise the negative
11 recreational impacts of Alternative Three. The language
12 in Alternative Three states -- and I quote: "The
13 estimate of future visits would exceed the annual
14 visitor supply and not all recreationalists desiring to
15 attend ISDRA could be accommodated. This is considered
16 an adverse impact." End of quote.

17 Also my concern is that changes in the
18 current management style for the ISDRA will be
19 inevitable. A new management style may be resistant to
20 multiple usages and could negatively impact OHV
21 opportunities. Another point of concern in this EIS is
22 the method for quantifying visitor usage. In my opinion
23 using any visitor usage estimates or averages lends
24 itself to accidental duplication, over-estimates and by
25 over-counts pulling punitive triggers with respect to

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1 capacity limits.

2 One would hope that the BLM working
3 collectively with the public through this process could
4 see the long-term effects of such a potential impact.

5 The public is incrementally losing access
6 to OHV recreational opportunities. These incremental
7 assaults, such as lawsuits that close areas, become
8 responsible for the increase in negative impacts to the
9 remaining OHV recreational supply. This process of
10 these assaults --

11 MR. LEWIS MICHAELSON: I am sorry, Mr. Harms.

12 MR. MARK HARMS: Okay. I will finish it
13 later.

14 MR. LEWIS MICHAELSON: Okay. Thanks. I keep
15 getting ones that come up later and the court reporter
16 has requested a five-minute break for her fingers. So
17 we are going to go ahead and take a short five-minute
18 break. Jeri Ferguson will be up next and then probably
19 we will take the people who want to speak five minutes.
20 Please stick around. Don't go too far. We want to
21 start up right again.

22 (Brief recess.)

23 MR. LEWIS MICHAELSON: We will get started
24 again. Jeri Ferguson will have the first opportunity to
25 speak. Jeri Ferguson will be next and then we will

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1 start into the second rounds of individuals who would
2 like to have more time to speak. And those will be in
3 order: Donald Lambe, Chuck Mobley and Mark Harms.

4 MS. JERI FERGUSON: Hi. My name is Jeri
5 Ferguson. I represent the California Association of
6 Four-Wheel Drive Clubs. I have been told that I've been
7 stalking since I have been to every single meeting.

8 But my comments tonight are regarding, of
9 course, wilderness and in the past -- and there doesn't
10 seem to be corporate knowledge being held over -- but
11 there was 69 wildernesses or close to that made and in

12 those we lost Kelso Dunes, Eureka Dunes and a few other
13 dune systems that we used to be able to recreate on.
14 And we also got told: Well, you get to go -- and then
15 plus the north Algodones dunes -- and we got told that
16 we could go to the south dunes. It was recognized as
17 not being suitable for wilderness. It got released as a
18 wilderness study area.

19 And so we got told that we were going to
20 have this area to recreate on and now it seems like the
21 corporate knowledge got lost and, you know, we are
22 getting our pie -- our piece of the pie keeps getting
23 smaller and smaller and gets chopped up.

24 So I would like -- you know, you need to
25 -- and then plus these closures also have major impacts

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1 on Dumont Dunes, which is our other dune system that we
2 get. Because of the temporary closures they probably
3 have doubled the impact over there, which -- because
4 people here are getting so crowded into a small area and
5 then they get pushed over to Dumont and now Dumont and
6 Barstow Resource Areas having their own issues now
7 also.

8 So I would just like to throw that out at
9 you and just remember the corporate knowledge and how
10 much we have already given up.

11 Thank you.

12 MR. LEWIS MICHAELSON: Donald Lambe. And
13 this time I'll wait go four and a half minutes before I
14 put this up, okay?

15 MR. DONALD LAMBE: I've got a minute and ten
16 seconds left. Okay. As I said before, my name is Don
17 Lambe. As time passes, more and more people will want
18 to come --

19 MR. LEWIS MICHAELSON: You know, because you
20 have got five minutes, why don't you slow it down and
21 that way she makes sure she gets it. Okay?

22 MR. DONALD LAMBE: I apologize. As time
23 passes, more and more people will want to come
24 concentrate on how to expand our playground safely; not
25 how to close more and more. The north side is wide open

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1 to the environmentalists' interests; that's great. We
2 both need the space. But how many of them hike into
3 their area to the fullest and utilize all of the north
4 part?

5 We used to take our kids to what we call
6 the Posy Patch on the north side. It was covered with
7 wildflowers. Depending on how much rain we had
8 determined its size each year. But it was bigger the
9 last time I saw it than the first time I saw it. I
10 wonder how many people hike in to see it now each year.

11 If you close more and more area and limit
12 the number of people rather than expand the area, you
13 will start the end of this family entertainment. Not
14 only will the local economy suffer, so will the areas
15 that sell, repair and maintain all the equipment now
16 used in the dunes. Millions of dollars in taxes will be

17 lost.

18 If we are slowly pushed into smaller and
19 smaller areas with less and less vehicles allowed, some
20 people will finally quit. It's like Coyote Canyon in
21 the Borrego area. Years ago a group of us were having
22 lunch in the canyon with our families. A ranger came by
23 and told me: "We don't like to see you people in
24 here."

25 Well, they got their way. I hope you

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1 guys have more foresight than that.

2 Thank you.

3 MR. LEWIS MICHAELSON: Chuck Mobley.

4 MR. CHUCK MOBLEY: Chuck Mobley. Someone said
5 earlier that the two factions -- which I don't believe
6 there is, at least from the off-roaders' standpoint --
7 should work together and I agree, but someone needs to
8 tell Daniel Patterson that.

9 There's a couple things I want to talk
10 about. Chapter 2 - 6, Table Two, the ban on alcohol.
11 While I am not opposed to getting rid of some of the
12 lawless, drunk individuals out there -- I don't think
13 any of us are; we are adults and there are many laws to
14 regulate how we -- whether we drink or drive and I think
15 we need to consider enforcing those laws before we add
16 new laws.

17 Chapter 2 - 6, closures. It's
18 unwarranted due to the fact -- many reasons. One of
19 them is that you have already -- and I want to tell
20 Bob: You guys are doing a great job, by the way.

21 One of the reasons is you want to
22 implement a closure due to the lawlessness and I know
23 that's the only reason. It would have been nice for you
24 to have said that in the EIS because it would have been
25 easier for us to comment on that, but since you didn't,

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1 we are going to assume that's why you are doing it.

2 And, Bob, your guys are doing a great job. Why are we
3 adding more rules? It's working.

4 Vendor services. Again, Greg, you said
5 that you wanted to, you know, the -- the whole plan of
6 this is about recreation. If you are trying to help the
7 recreationalists, you can't take our vendors away. And
8 a lot of us are locals and we do go out there during the
9 week and if my flag breaks or I need some water or I
10 just want to talk to Marie or Doug, you know, I want to
11 be able to that. I have always done that and we need
12 that service during the week.

13 You know, it's more than just whether we
14 need them, the BLM isn't out there during the week. I
15 have been out there many times and haven't seen a ranger
16 and lot of people have used Doug and Kevin as our safety
17 valve. We have gone to them and asked them to help us
18 and we would like to keep that up.

19 I want everyone to know that my opinion
20 is the central closures were unwarranted. ASA did a
21 study -- well, we had somebody do a study for us. This

22 person told us at the beginning he didn't think we were
23 going to like what happened; the outcome of it. And we
24 found out that the milk vetch isn't endangered and we
25 are not hurting those plants and we don't maliciously

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1 hurt any animals out there.

2 And the gentleman from the Quechan Tribe,
3 I have to take issue with you, sir, and I understand
4 your feelings, but nobody I know has ever intentionally
5 hurt an animal or plant out there. Contrary to what
6 Daniel Patterson says.

7 The lawless behavior; again Sheriff
8 Carter and Bob Haggerty, you guys are doing a great
9 job. We also appreciate that you didn't consider the
10 central closure in the EIS.

11 The buffer zones are just another closure
12 and I haven't seen any mitigation for the buffer zones
13 and I think that needs to be removed from the EIS.
14 There's no -- there is somewhere in the RAMP or the EIS
15 and I will comment on it when I write my letter, but
16 there's nowhere in there that says the desert tortoise
17 is affected by these buffer zones.

18 Your term "visitor supply" really is
19 capacity limits. This county cannot afford to have any
20 more unemployment. It's too high now and it's just
21 going to rise and we can't afford it. I live in this
22 town and it would devastate us and I'm a government
23 employee and you are a government employee and, yeah, we
24 can sit back and go: Well, we got jobs for life. But I
25 know a lot of people that are going to be affected.

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1 Basically that's it. I want everybody to
2 -- when they send in their comments, to "CC" their
3 congressman and senator so they know where we stand so
4 we can change the Environmental Protection Act because
5 it's wrong and it needs to be reworked.

6 Thank you.

7 MR. LEWIS MICHAELSON: Mr. Harms.

8 MR. MARK HARMS: Again my name is Mark Harms.
9 Something I would like to do that I didn't do in my
10 first opportunity. I would like to apologize to this
11 panel for my outburst in Long Beach. I know it totally
12 wasn't necessary, but I feel that it was. The 700
13 people in that particular room got an opportunity to see
14 a side of me that very, very few people get to see and
15 that's fortunate.

16 Sometimes my passion isn't that pretty,
17 but I've got a lot invested in all of this. I've got
18 tens of thousands of dollars and hundreds of hours
19 getting this desert back and I want to make sure that
20 the process that we are going through is fair so that we
21 all have an opportunity to speak here and get our points
22 across.

23 Where I stopped was: The public is
24 incrementally losing access to OHV recreational
25 opportunities. These incremental assaults, such as

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1 lawsuits that close areas, become responsible for the
2 increase in negative impacts to the remaining
3 recreational supply. This process or these assaults
4 become the platform for terms like ROS classes, Adaptive
5 management, Buffer zones, Temporary closures, Closed to
6 OHV use, Wilderness area, etcetera, etcetera. These
7 terms then become management tools that perpetuate
8 closures as well as limiting OHV opportunities.

9 Another area of concern with this EIS is
10 the weight given to the Native Plant Society. This
11 advocacy group is currently a co-plaintiff in a suit
12 with Fish and Wildlife Service.

13 The credibility offered to this group
14 could look to some as a possible conflict of interest.
15 The Native Plant Society is affecting this EIS and suing
16 the agency that will be offering a biological opinion on
17 it. Part of this current lawsuit with the Fish and
18 Wildlife is based the habitat issues of the Pearson's
19 milk vetch. The fox is clearly in charge of this hen
20 house.

21 A very serious posture that seems to run
22 through this DEIS is it seems to be overly concerned
23 with arriving with a "no jeopardy opinion". I would
24 hate to think that we would submit a less than desirable
25 plan to the Fish and Wildlife in the hopes of not

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1 pulling a "jeopardy opinion". The 9th Circuit Court of
2 Appeals recently handed down a ruling against the Fish
3 and Wildlife Service. The case is Arizona Cattle
4 Growers Association versus Fish and Wildlife Service and
5 the Bureau of Land Management. The gist of this ruling
6 is that the court would not consent to a "rubber stamp",
7 a decision made without adequate evidentiary support.
8 In other words, a jeopardy opinion must be based on
9 something other than an opinion. The burden of proof is
10 not on the OHV community, it's on the Fish and
11 Wildlife.

12 One of the things I would like to talk
13 about is this adaptive management area. I see that in
14 the future as being somewhat like a child in a custody
15 suit. I see the environmental organizations tugging to
16 get fewer people. I see the off-road groups tugging to
17 get more access to it. Just by its proximity and
18 because it's so far into the dunes, it's self-limiting.

19 The fuel loads that a lot of vehicles
20 have can't even play down there. The two-wheelers that
21 we see in the dunes today, they can't operate in those
22 soft sand dunes. The high-performance vehicles that we
23 see today with hundreds of horse power don't do well out
24 there because they don't have the areas to be able to
25 use a performance like they would like to. And because

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1 the sand is as soft as it is out there, it really lends
2 itself to people like I consider myself; that's a
3 purist.

4 In other words, it's very technical, it's
5 very soft and because of the fact that it's as far out

6 as it is, very few people want to play out there.
7 So to have 75 people potentially prevent
8 me from going out there -- to put some numbers to this
9 -- worse case scenario in a year only 2,250 people
10 could actually be out there. Best case, 15,750 people
11 could be out there. So there is a large discrepancy
12 with respect to how many people could actually use that
13 particular area. And if you have ever played out there,
14 you will know there is very few people that even want to
15 travel out that far.

16 Anyway, that's all I have to say. Thank
17 you.

18 MR. LEWIS MICHAELSON: Thank you, Mr. Harms.
19 Is there anyone else who either hasn't spoken for a
20 first or a second time who would like to turn in a
21 card? Just bring it right up to me.

22 MS. AMY KIRKMAN: Once again my name is Amy
23 Kirkman. I wanted to bring this up earlier, but it was
24 a short time. I respect the BLM and I respect our law
25 enforcement agency; especially being a part of one.

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1 It's something that you learn to do as you get older and
2 more mature. And I don't want to dog the BLM out, but I
3 want to use this example that happened in my camp over
4 the holidays just to show that on this particular day
5 the BLM was quite concerned about environmental causes
6 and we were at camp and it was the first thing in the
7 morning and this -- I don't know, 19 -- 20-year old
8 woman came up on a three-wheeler right in front of our
9 camp and we were up cleaning up around our campfire
10 where the night before we had left beer cans, but we
11 never leave it that way. We never leave our camp with a
12 piece of trash.

13 So we were up cleaning and she got
14 stuck. She was lost. Her bike wouldn't start. So the
15 two BLM drove up and got out of their car, started
16 talking to her and to those of us in our camp, it was
17 obvious that she was, A, intoxicated; B, had no idea
18 where she was going or where she had been. Didn't know
19 how to get the bike started. Wasn't wearing a helmet.
20 Didn't even have it with her.

21 So while they helped her get her bike
22 started, get her back on the road after she told them
23 she was lost and had no idea where she was going, and if
24 it was obvious to me that she was intoxicated, I would
25 assume it was obvious to them she was intoxicated, but

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1 yet they pushed her on her way and let her go.

2 What did they do instead of getting in
3 their car and be concerned about where she was going?
4 They came into my camp with trash bags and told me to
5 clean up my mess. And that's what I meant earlier about
6 the priorities of law enforcement that are currently
7 working out there in the sand dunes. If they would use
8 what they have already in place, they would certainly be
9 able to curb a lot of the problems that we have, which
10 in turn causes wants for closures, for changes, for

11 restrictions.

12 And I just wanted to share my personal
13 experience because, great job, they helped the
14 environment. They let some drunk girl with no helmet
15 drive off on a three-wheeler and not even know where she
16 was going.

17 Thank you.

18 MR. LEWIS MICHAELSON: Is there anyone else
19 who would like to turn in a card and speak either for
20 the first or second time?

21 Thanks for a great meeting. This has
22 been excellent input for the Bureau of Land Management.
23 Yes, sir.

24 MR. DONALD LAMBE: Can I say one more
25 comment?

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1 MR. LEWIS MICHAELSON: Would this be your
2 second or third?

3 MR. DONALD LAMBE: Third.

4 MR. LEWIS MICHAELSON: Oh, what the heck.

5 MR. DONALD LAMBE: I just wanted to make one
6 comment.

7 MR. LEWIS MICHAELSON: State your name.

8 MR. DONALD LAMBE: I'm sorry. My name is Don
9 Lambe; third time up. We have heard about the horn toad
10 being out there. I have been here 57 years and I have
11 never seen a horn toad in the sand; sand dunes is what
12 I'm talking about.

13 MR. LEWIS MICHAELSON: Okay. On that note --
14 hang on. Alright. Does anyone want a first, second or
15 third chance to speak? Mark, come on up.

16 MR. MARK HARMS: Well, as you can tell, I have
17 got a few things that I would like to talk about. I
18 will be speaking in more detail with respect to this EIS
19 on the socioeconomic issues in Yuma. I will be in Yuma
20 on Tuesday and I will be in San Diego on Thursday.

21 But I kind of want to put a face also to
22 the kind of money that we are talking about that we are
23 spending out there. And we are not spending this money
24 in Yuma. We are spending this money -- or in Imperial
25 County or Yuma County. We are spending this money

0053

1 outside of these counties.

2 But I want to put some numbers to this
3 that you guys actually have used. And I'm going to use
4 some outside numbers. There is an estimate that there
5 was approximately 200,000 people at Glamis last
6 Thanksgiving. So we will use that number. Also use
7 your number of 3.5 people per RV. If you divide that,
8 you are over 57,000 RV's. If you average that out to
9 approximately \$75,000 per RV, which would include the
10 RV, the trailer, the buggies, the quads, whatever comes
11 along; that's probably a conservative number.

12 If you multiply \$75,000 times 57,000 plus
13 people, you come up with \$4,285,000,000 worth of
14 equipment that you have out there on the ISDRA on a
15 major holiday. That is significant.

16 That does not include the hundreds of
17 thousands of dollars that I have made in capital
18 investment to be able to produce the product that this
19 gentleman over here seems to like. It doesn't include
20 all of the hundreds of thousands, if not millions, of
21 dollars that other companies that build motorhomes,
22 trailers, buggies and what have you. It doesn't include
23 that in this EIS either.

24 It also doesn't include the employment
25 issues that come along with that. There are a number of
0054

1 companies that hire people that build these motorhomes
2 and these buggies and that build these tires. I mean,
3 just the factory that makes my tires employs over 500
4 people.

5 So this EIS with respect to the
6 socioeconomics has done a very, very poor job and I will
7 expound on that a little bit more in Yuma, but it's done
8 a very poor job to this point with respect to how any
9 capacities would be affecting as far as these economies
10 in other counties.

11 Thank you very much.

12 MR. LEWIS MICHAELSON: Anyone else? Sure.
13 Come forward. Since we have already been through the
14 second round, I am not going to hold you to the two
15 minutes. Okay?

16 MR. AMADIS LUGO: That's fine. I won't take
17 too long. Good evening. Again, I am Amadis J. Lugo. I
18 am a dentist local in Brawley. First of all, I do want
19 to also apologize at my outburst on the first meeting
20 that we had in El Centro. But anyhow, I just let my
21 emotions go through there especially not knowing the
22 process.

23 Anyhow, I just wanted to explain a little
24 bit about what I am doing out there. I am a vendor out
25 at Glamis. Very first season. And mainly the purpose
0055

1 behind it is because for 10 years conducting business
2 right here on Main Street, I have been seeing all these
3 motorhomes coming by. I have never -- even after I
4 worked out there for six months -- been on a quad or
5 motorcycle, a buggy or anything like that. So I won't
6 call myself an off-road enthusiast.

7 But I do have some concerns about
8 recreation and family recreation and that's why I
9 thought we have a valuable resource here in Imperial
10 County, which is the Imperial Sand Dunes Recreation
11 Area. And in the meantime there was really nothing out
12 there except for one store. Other than that, what else
13 is available for those people that I see coming through
14 for the past 10 years?

15 So I decided to make this convenience
16 store that would be available seven days a week. And
17 it's more for the intention of providing the service to
18 the customers and not necessarily for my private gain.
19 Because if I wanted to have my private gain, I have my
20 practice over here in town that keeps me busy enough.

21 Make more money than I make actually by selling ice and
22 ice cream and so forth.

23 But I do provide those basic services to
24 the people out there. And I'm there on a daily basis,
25 seven days a week and I would like to continue doing

0056 1 that to continue to providing that service for everybody
2 out there.

3 And, yes, there was a previous comment
4 that during the week there was no BLM officers available
5 in case of emergencies and, yes, I was always there
6 available in case somebody ever needed it and I will
7 always be there available as long as you guys let me
8 conduct that business.

9 So please consider that I can do business
10 Monday through Sunday, seven days a week, 24 hours a day
11 if possible with the intention also to increase the
12 economic growth as well as providing employment
13 opportunities for Imperial County.

14 Thank you very much.

15 MR. LEWIS MICHAELSON: Amadis, if you would do
16 me a favor, fill out a green card so we can get that on
17 the record. Thanks. Anyone else? Yes, sir.

18 MR. RANDY ARMS: Hello. My name is Randy
19 Arms, A-R-M-S. My concern here is the economic effect
20 of Imperial Valley. From your 55,000 -- I believe if
21 you stand by those numbers and put that up there, that
22 it will have a major effect on our economics of this
23 Imperial Valley here.

24 We need to be conscious that in Imperial
25 Valley we really struggle for every dollar we get here.

0057 1 And by cutting or limiting the people that go out there,
2 you will be cutting the dollars that we make here and
3 when -- like I said, we need every dollar we can get
4 here.

5 So we need to be conscious of our
6 businesses here. And we thrive on these dollars we get
7 and we need to be conscious of this and I can't say it
8 enough; that we try not to hurt the businesses. We live
9 for this and I will say it over again. We live for
10 this. We live for this.

11 Thank you very much.

12 THE COURT: Thank you. Anyone else? If not,
13 I would like to ask Roxie to make a closing comment.

14 MS. ROXIE TROST: Thank you. And I want to
15 thank you all for coming out tonight and for your
16 cooperation. We know we have a long ways to go on this
17 draft document and your comments are going to help get
18 us there.

19 I want to let you know a couple of
20 things. One, is the transcripts that we have from the
21 court reporter will be available in about a month on the
22 Internet along with the Power Point that you saw
23 tonight. So if you would like to share that with
24 anyone, please take a look at it.

25 Also, remember that if you are a little

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1 timid and you didn't want to stand up and speak, you
2 still have the opportunity to do that until June 28th;
3 both by E-mail and by U.S. Mail.

4 And also we have two more meetings
5 scheduled. You are welcome to join us in Yuma next
6 Tuesday and we are going to be in San Diego with our
7 presentation on Thursday night as well.

8 Again, thanks for coming out and please
9 have a safe trip home.

10 (That completes the proceedings for this
11 date. Meeting was concluded at 9:00 p.m.)

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4 I, CHRISTINE ANNE HARRINGTON, having been
5 duly appointed as official court reporter herein, do
6 hereby certify that the foregoing pages numbered 1
7 through 59 inclusive constitute a full, true and
8 accurate transcript of all proceedings had in the above
9 matter, all done to the best of my skill and ability.
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17 CHRISTINE ANNE HARRINGTON
18 CERTIFIED COURT REPORTER
19 ARIZONA CSR #50128
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